

## *Charter*

### **CANE RIVER NATIONAL HERITAGE AREA COMMISSION**

This charter is for the purpose of formally acknowledging the Cane River National Heritage Area Commission as an entity within the U.S. Department of the Interior, established to carry out functions authorized and specifically assigned to the Commission by the Cane River Creole National Historical Park and National Heritage Area Act. The Commission is subject to administrative requirements applicable to other functional units of the Department of the Interior, except as may be otherwise stipulated by the Cane River Creole National Historical Park and National Heritage Area Act and indicated in other sections of this charter. The requirements of the Federal Advisory Committee Act, 5 U.S.C. Appendix, do not apply to this Commission; this charter communicates instructions from the Secretary of the Interior on operation of the Commission.

1. **AUTHORIZATION.** The Cane River National Heritage Area Commission was established by the Cane River Creole National Historical Park and National Heritage Area Act (hereinafter referred to as the Act), Public Law 103-449, section 402, November 2, 1994.
2. **DUTIES.** The Commission was established to:
  - a. To assist in implementing the provisions of the Act which relate to the Cane River Creole National Historical Park and the Cane River National Heritage Area, and to provide guidance for the management of the Cane River National Heritage Area.
    - (1) Within 3 years after the Commission conducts its first meeting, it will prepare and submit a heritage area management plan to the Governor of the State of Louisiana. This plan will be prepared in consultation with the National Park Service, the State of Louisiana, the city of Natchitoches, Natchitoches Parish, interested groups, property owners, and the public.
    - (2) Consult with the Secretary on the preparation of the General Management Plan for the Cane River Creole National Historical Park.
    - (3) Develop cooperative agreements with property owners, preservation groups, educational groups, the State of Louisiana, the City of Natchitoches, universities and tourism groups, and other groups to further the purposes of the Act.
    - (4) Identify appropriate entities, such as a non-profit corporation, that could be established to assume the responsibilities of the Commission following its termination.
  - b. The heritage area management plan prepared by the Commission will consider local government plans and will present a unified heritage preservation and education plan for the heritage area. The plan will include, but not be limited to:
    - (1) An inventory of important properties and cultural landscapes that should be preserved, managed, developed, and maintained because of their cultural, natural, and public use significance.
    - (2) An analysis of current land uses within the area and how they affect the goals of preservation and public use of the heritage area.

- (3) An interpretive plan to address the cultural and natural history of the area, and actions to enhance visitor use. This element of the plan shall be undertaken in consultation with the National Park Service and visitor use plans for the Cane River Creole National Historical Park;
    - (4) Recommendations for coordinating actions by local, State, and Federal Governments within the heritage area, to further the purposes of this Act.
    - (5) An implementation program for the plan including desired actions by State and local governments and other involved groups and entities.
  - c. The Secretary will provide, through the National Park Service, technical assistance to the Commission in the preparation and implementation of the heritage area management plan, in concert with actions by the National Park Service to prepare a General Management Plan for the Cane River Creole National Historical Park.
  - d. The heritage area plan which the Commission will prepare will be submitted to the Governor of the State of Louisiana. Following the Governor's approval, the Commission will submit the plan to the Secretary for review and approval, and notify the Secretary of the status of approval by the Governor. The Secretary will approve or disapprove the plan within 90 days after receipt of the plan from the Commission. In determining whether or not to approve the plan the Secretary will consider the following:
    - (1) Whether the Commission has afforded adequate opportunity, including public meetings and hearings, for public and governmental involvement in the preparation of the plan.
    - (2) Whether reasonable assurances have been received from the State and local governments that the plan is supported and that the implementation program is feasible.
  - e. If the Secretary disapproves the plan, the Commission will be advised in writing of the reasons for disapproval, and will be provided recommendations and assistance in the revision of the plan. Following completion of any revisions to the plan, the Commission will resubmit the plan to the Governor of Louisiana for approval, and to the Secretary, who will approve or disapprove the plan within 90 days after the date that the plan is revised.
3. POWERS. To the extent that Federal funds are appropriated, the Commission is authorized to:
  - a. Procure temporary and intermittent services to the same extent that is authorized by Section 3109 (b) of title 5, United States Code, but at rates determined by the Commission to be reasonable.
  - b. Accept the services of personnel detailed from the State of Louisiana or any political subdivision thereof, and may reimburse the State or political subdivision for such services.
  - c. Upon the request of the Commission, the head of any Federal agency may detail, on a reimbursable basis, any of the personnel of such agency to the Commission to assist the Commission in carrying out its duties.

- d. Appoint and fix the compensation of such staff as may be necessary to carry out its duties. Staff shall be appointed subject to the provisions of Title 5, United States Code, governing appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates.
- e. Enter into cooperative agreements and leases with public or private individuals or entities for research, historic preservation, and education purposes.
- f. Make grants to assist in the preparation of studies that identify, preserve, and plan for the management of the heritage area.
- g. Notwithstanding any other provision of law, seek and accept donations of funds or services from individuals, foundations, or other public, or private entities and expend the same for the purposes of providing services and programs in furtherance of the purposes of the Act.
- h. Assist others in developing educational, informational, and interpretive programs and facilities.
- i. Hold such hearings, sit and act at such times and places, take such testimony and receive such evidence, as the Commission may consider appropriate.
- j. Use the United States mails in the same manner and under the same conditions as other departments or agencies of the United States.

4. MEMBERSHIP.

- a. The Commission will be composed of 19 members appointed by the Secretary as follows:
  - (1) One member from recommendations submitted by the Mayor of Natchitoches;
  - (2) One member from recommendations submitted by the Association for the Preservation of Historic Natchitoches;
  - (3) One member from recommendations submitted by the Natchitoches Historic Foundation, Inc.;
  - (4) Two members with experience in and knowledge of tourism in the heritage area, from recommendations submitted by local business and tourism organizations;
  - (5) One member from recommendations submitted by the Governor of the State of Louisiana;
  - (6) One member from recommendations submitted by the Police Jury of Natchitoches Parish;
  - (7) One member from recommendations submitted by the Concerned Citizens of Cloutierville;
  - (8) One member from recommendations submitted by the St. Augustine Historical Society;

- (9) One member from recommendations submitted by the Black Heritage Committee;
- (10) One member from recommendations submitted by the Los Adaes/Robeline Community;
- (11) One member from recommendations submitted by the Natchitoches Historic District Commission;
- (12) One member from recommendations submitted by the Cane River Waterway Commission;
- (13) Two members who are landowners in and residents of the heritage area;
- (13) One member with experience and knowledge of historic preservation from recommendations submitted by Museum Contents, Inc.;
- (14) One member with experience and knowledge of historic preservation from recommendations submitted by the President of Northwestern State University of Louisiana;
- (15) One member with experience in and knowledge of environmental, recreational and conservation matters affecting the heritage area from recommendations submitted by the Natchitoches Sportsman's Association and other local recreational and environmental organizations; and
- (16) The Director of the National Park Service or the Director's designee, ex-officio.

- b. Members of the Commission other than the ex officio member will be appointed for terms of 3 years. Any member of the Commission appointed for a 3-year term may serve after expiration of his or her term until a successor is appointed. Any vacancy on the Commission will be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy will serve for the remainder of the term for which the predecessor was appointed.
- c. The Commission will elect a Chairperson from among its members. The term of the Chairperson will be for 3 years.
- d. Members of the Commission shall receive no compensation for their service on the Commission. While away from their homes or regular places of business in the performance of services for the Commission, members shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5, United States Code.

5. ETHICS RESPONSIBILITIES OF MEMBERS.

All members will comply with applicable ethics rules and regulations. The Department of the Interior will provide materials to those members appointed as Special Government Employees, explaining their ethical obligations and with which the members should be familiar. Consistent with the ethics requirements, members will endeavor to avoid any actions that would cause the public to question the integrity of the Commission's operations, activities, or advice. The provisions of this paragraph do not affect any other statutory or regulatory ethical obligations to which a member may be subject.

## 6. ADMINISTRATION.

The Commission will comply with all applicable Federal statutes and regulations governing the use of appropriated funds, with the National Park Service providing oversight and direction as needed. Administrative services will be obtained through mutual agreement with the National Park Service.

The Commission will prepare a budget prior to October 1 of each year detailing how its funds will be utilized, and institute a system of accounting and management controls which adequately safeguard its funds. The Commission's expenses will not exceed the amount appropriated by Congress for the Commission's purposes, plus donations which it may obtain from other public or private entities.


Prior to awarding any grants authorized under the Act, the Commission will adopt formal procedures for administering such grants in accordance with the Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6301 et seq.), and advice and circulars issued by the Office of Management and Budget.

The Commission will submit an annual report to the Secretary identifying its expenses and any income, the entities to which any grants or technical assistance were made during the year for which the report is made, and actions that are planned for the following year.

The Commission, prior to its termination, will recommend to the Governor of Louisiana and the Secretary, appropriate entities, including the potential for a non-profit corporation, to assume the responsibilities of the Commission.

## 7. TERMINATION.

The Commission will terminate on the day occurring 10 years after its first official meeting. The Commission's first meeting was held on August 5, 1995. The Commission may petition to be extended for a period of not more than 5 years beginning on the day referred to above provided the Commission determines a critical need to fulfill the purposes of the Cane River Creole National Historical Park and National Heritage Area Act and the Commission obtains approval from the Secretary of the Interior, in consultation with the Governor of the State of Louisiana.

  
Secretary of the Interior

OCT - 5 2004

Date